

Message

From: Goodin, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3EAC342F280A4B9DB4079C81F66D1913-JGOODIN]
Sent: 11/11/2019 6:38:34 PM
To: Ross, David P [ross.davidp@epa.gov]
CC: Forsgren, Lee [Forsgren.Lee@epa.gov]; Mejias, Melissa [mejias.melissa@epa.gov]; Aguirre, Janita [Aguirre.Janita@epa.gov]
Subject: Re: Consultation with Arizona Tribes re Arizona 404 Assumption MOA

Thanks, Dave — we could chat for a few minutes at our biweekly tomorrow. Perhaps a communication from one of the three of us to the WDDs would help secure that connection. FWIW, many of the AZ and FL discussions have included involvement or heads ups with OWOW staff.

Thanks,
John

Sent from my iPhone

On Nov 11, 2019, at 12:54 PM, Ross, David P <ross.davidp@epa.gov> wrote:

Lee and John,

Let's talk this week about making sure you are read into every discussion our regions are having with Arizona, Florida and Nebraska.

Thanks.

Dave Ross
Assistant Administrator
Office of Water
(202) 564-5700

Begin forwarded message:

From: "Ross, David P" <ross.davidp@epa.gov>
Date: November 11, 2019 at 12:47:07 PM EST
To: "Stoker, Michael B." <stoker.michael@epa.gov>
Cc: "McIntosh, Chad" <mcintosh.chad@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Zimmer, Nathaniel" <zimmer.nathaniel@epa.gov>, "Munoz, Charles" <munoz.charles@epa.gov>
Subject: Re: Consultation with Arizona Tribes re Arizona 404 Assumption MOA

Mike,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks.

Dave Ross
Assistant Administrator
Office of Water
(202) 564-5700

On Nov 11, 2019, at 11:51 AM, Stoker, Michael B. <stoker.michael@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Feel free to discuss if you want.

Best regards,
Mike Stoker
Southwest Region Administrator US-EPA
(213) 215-3104

On Nov 11, 2019, at 8:31 AM, Ross, David P <ross.davidp@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 11:12 AM, McIntosh, Chad
<mcintosh.chad@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Leopold, Matt (OGC)
<Leopold.Matt@epa.gov>
Sent: Monday, November 11, 2019 9:42 AM
To: Stoker, Michael B.
<stoker.michael@epa.gov>
Cc: Ross, David P
<ross.davidp@epa.gov>; McIntosh, Chad <mcintosh.chad@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>
Subject: Re: Consultation with Arizona Tribes re Arizona 404 Assumption MOA

Ex. 5 AC/DP

Thanks, Matt

Sent from my iPhone

On Nov 1, 2019, at 6:38 PM, Stoker, Michael B.
<stoker.michael@epa.gov> wrote:

Dave,

As you know Region 9 has been working closely with ADEQ to assist with their development of a 404 assumption request package. Currently, ADEQ expects to submit

an assumption request to EPA in August 2020. Since the State began the assumption process in 2018, ADEQ and EPA have both engaged with tribes on this matter. We have also had good discussions with ADEQ, encouraging ADEQ's ongoing engagement with tribes and explored possible mechanisms to address tribal concerns in program development. While tribes acknowledge ADEQ efforts to better engage tribes in the assumption process, the Tribes remain concerned and are requesting EPA consultation now rather than waiting until the program is developed and submitted to EPA for our review and action.

Last week my Region 9 team and ADEQ senior management participated together in another tribal listening session on AZ 404 assumption at which tribal representatives strongly requested consultation with EPA now and again indicated that waiting to consult until the request package is submitted will be too late to have their concerns substantively addressed. In addition, we have written requests for consultation from the

Gila River Indian
Community (10/11/19)
and the Inter-Tribal
Association of Arizona
(10/21/19). We have
discussed these
requests with the State
and ADEQ is open to
going forward with
consultation sooner
rather than later.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Best regards,

Mike Stoker
Southwest Region
Administrator US-EPA
(213) 215-3104